



[12013/56301]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : **Maria PALASIS**  
Serial No. : 09/542,935  
Filed : April 4, 2000  
For : **INSERTABLE OR IMPLANTABLE MEDICAL DEVICES  
SUITABLE FOR GENE THERAPY REGIMES**  
Examiner : Brian A. Whiteman  
Art Unit : 1635

**MAIL STOP: NON-FEE  
AMENDMENT**  
Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450 Arlington, VA 22313-1450

Date: *September 22, 2004* Reg. No. 42,226

Signature: *Elizabeth M. Wieckowski*  
Elizabeth M. Wieckowski

**TRANSMITTAL**

S I R:

Transmitted herewith for filing in the above-identified application is a Response to Notice of Non-Compliant Amendment in reply to a Notice of Non-Compliant Amendment mailed on September 13, 2004.

No fee is believed to be required. However, if any fee is required, the Commissioner is authorized to charge Deposit Account No. **11-0600** for such fee. A duplicate of this transmittal letter is enclosed for that purpose.

Respectfully Submitted,  
KENYON & KENYON

Dated: *September 22, 2004*

By: *Elizabeth M. Wieckowski*  
Elizabeth M. Wieckowski  
Reg. No. 42,226

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor : Maria PALASIS

Serial No.: 09/542,935

Filing Date: April 4, 2000

For: Insertable or Implantable Medical Devices  
Suitable for Gene Therapy Regimens

Art Unit : 1635

Examiner : B. Whiteman

**MAIL STOP: NON-FEE  
AMENDMENT**  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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Elizabeth M. Wieckowski

**RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT**

S I R:

This Response is submitted in reply to the Notice of Non-Compliant Amendment (hereinafter "Notice") mailed on September 13, 2004. A response is due one month from the mailing of the Notice, i.e., by October 13, 2004. Accordingly, this Response is being timely filed. The Notice indicates that each claim has not been provided with a proper status identifier, and indicates that the improper status identifier "previously amended" is used. Applicant submits herewith a complete listing of the claims, each with a proper status identifier, in response to the Notice. Applicant respectfully requests entry of the present Amendment in the above-identified case.

Please amend the above-identified application as follows: